



Delegated Report

Householder Planning Application

Planning Application No: 20240657

Location: 36 The Sandpipers Gravesend Kent DA12 5QB

Description: Demolition of front porch, removal of the existing conservatory and erection of single storey front extension and two storey rear extension.

Applicant: Mr & Mrs A. Sanghera

Site Visit Date: 31.07.2024

Submitted Documents/Plans

- Application form;
- Drawing no. 534/01 – Location Plan
- Drawing no. 534/02 – Site Plan As Existing;
- Drawing no. 534/03 – Plans As Existing;
- Drawing no. 534/04 – Elevations As Existing;
- Drawing no. 534/PL04 – Site Plan As Proposed (2nd Submission);
- Drawing no. 534/PL05 – Plans As Proposed (2nd Submission); and
- Drawing no. 534/PL06 – Elevations As Proposed (2nd Submission).

Relevant Planning History

Reference	Description	Decision	Decision Date
20221288	Alterations and extensions to include a single-storey replacement porch at the front and a two-storey extension at the rear to replace the existing conservatory.	Permitted	30.01.2023
19840393	Erection of 100 dwellings with car parking and garages associated earthworks and laying out of access road onto Hillside Avenue and Old Road East	Permitted	22.11.1984

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021).

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

No objection but the following condition and informatives are recommended.

Watching Brief

The site falls within the buffer zone of a former landfill site.

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Code of Practice on Construction and Demolition: Please apply to minimise the impact of the construction on the adjacent dwellings.

Smoke Control Informative: The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Officer note – It is noted that GBC Environmental Protection have not referred to another condition which was requested by them in previous application ref. 20221288 and which has been attached to other

permissions in the road regarding the installation of a gas membrane. This matter has not changed and so it is considered that it is important that the comments from GBC Environmental Protection are also given here and that if permission were to be forthcoming both a watching brief and the gas membrane conditions would be required.

GBC Environmental Protection's comments from previous application ref. 20221288

This application site falls within the buffer of the Holyoake Mount historic landfill site. Information gleaned from other applications within this street indicate that a protective capping layer of 750mm clean soil was placed in all gardens. It is assumed this was completed and a letter from the developer to the initial property buyers states that they should not dig below 2'6" in the gardens as this is the depth of protective material.

Construction workers will therefore need to be informed about the potential for contaminated material below this capping layer.

The following conditions should be applied which are in keeping with conditions placed on similar permission in this area.

- The applicant shall undertake a watching brief during construction in case any contamination is encountered during the groundwork phase. Workers on site during construction should be advised by the applicant that there is a possibility of finding contaminated material. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Any material brought onto the site must be suitable for use and the results of chemical analysis of this material to demonstrate that it is free from contamination and suitable for the proposed end use shall be submitted to the Local Planning Authority for approval.

In addition, material for off-site disposal should be dealt with appropriately as determined by a waste classification assessment. Appropriate documentation relating to the removal of material from site should also be forwarded to the Local Planning Authority.

Reason To ensure that the development is adequately protected against contaminated material and the management of soil decontamination can be adequately controlled.

- Prior to the works commencing on site, details of a gas impermeable membrane should be submitted and approved by the Local Planning Authority. The gas impermeable membrane shall be incorporated within the structure along with a ventilated sub-floor area. Any services entering/leaving the structure should be located above the gas impermeable membrane or adequate seals will have to be provided if the membrane has to be breached. The development shall be built in accordance with the approved plans and details.

Reason To ensure that the development is adequately protected against contaminated material and the management of soil decontamination can be adequately controlled.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, I consider it unlikely that these proposals would have a significant below ground archaeological impact and have no further comments to make in this case.

Neighbouring properties

4 surrounding properties were consulted plus site notice – overall consultation expiry date was 14.08.2024 – one response received in support but no comments made.

Officer's Analysis

The application site consists of a two storey detached dwelling situated on the eastern side of The Sandpipers. The site is located in an Area of Archaeological Potential and the Holyoake Mount and Pine Avenue Historic Landfill Site Buffer Zone.

A previous application was permitted in January 2023 for alterations and extensions to include a single-storey replacement porch at the front and a two-storey extension at the rear to replace the existing conservatory.

The proposal is for demolition of front porch, removal of the existing conservatory and erection of single storey front extension and two storey rear extension.

For ease of reference the dwelling as existing, permitted and proposed is as follows:

Existing



front (west) elevation



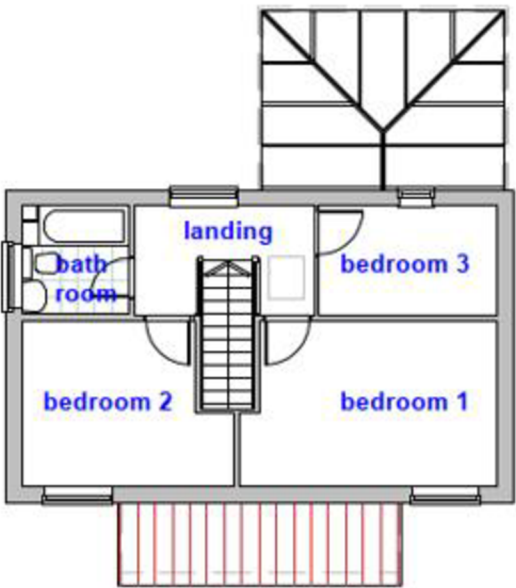
side 1 (north) elevation



rear (east) elevation



side 2 (south) elevation



Previous application ref. 20221288



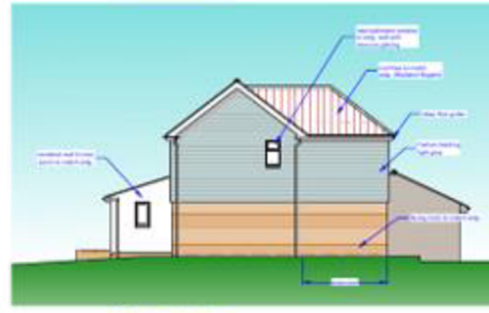
front (west) elevation



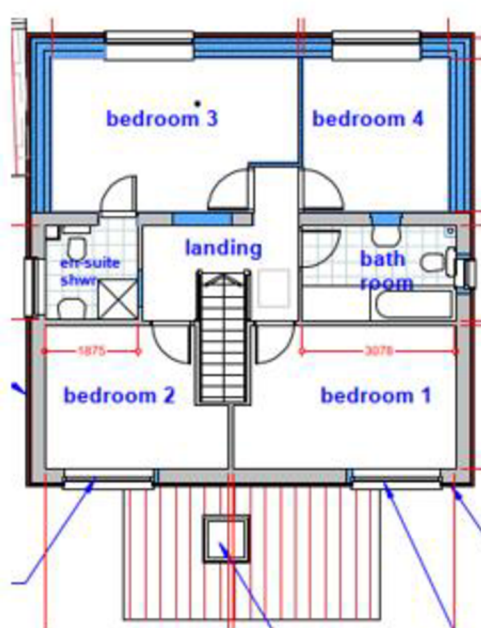
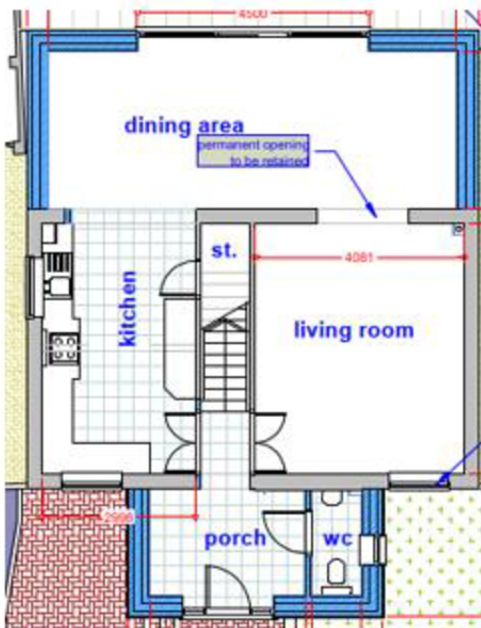
side 1 (north) elevation



rear (east) elevation



side 2 (south) elevation





The proposal is similar to that approved under previous application ref. 20221288. The two storey rear extension is the same in size – 3.5m depth, full width and 7.2m. It is also the same design apart from at ground floor in the rear elevation instead of patio doors there would be bi-fold doors and a window. The differences with this new proposal compared to the previous application therefore relate to the front extension. In the previous application the front extension was to be 2.5m in depth, 5m in width and 3.8m to the highest point of the mono-pitched roof whereas in this current proposal the proposed front extension would be 3m depth, full width and 3.9m to the highest point of the roof.

The principle considerations in the assessment of the application are:

- Character and Appearance
- Amenity of Occupiers
- Neighbouring Amenity
- Parking and Highway Safety

- Archaeology

Design, Character and Appearance

Two storey rear extension

As stated above, the proposed two storey rear extension is the same size and design as permitted under previous application ref. 20221288 with just a minor change that instead of patio doors in the ground floor rear elevation there would be bi-fold doors and a window. As before, the proposed two storey rear extension is acceptable in design therefore. Its depth at 3.5m would not dominate the host dwelling. Its height would be set down from the ridgeline by 350mm. It would extend the full width of the dwelling but would not project beyond either side elevation. The roof would be a double pitched M roof which as stated would be set down below the ridgeline and it would be in keeping with the pitched roof of the main dwelling and still allow a large amount of the original rear roof slope of the dwelling to be visible. The materials would match the main dwelling, brick at ground floor and cladding at first floor of which the first floor of the host dwelling is also to be re-clad in. Although the majority of the dwellings are red brick facing, there are a couple of dwellings which have been faced with cladding at first floor, these are nos. 21 & 42 The Sandpipers and the cladding is therefore considered acceptable; matching roof tiles would be used and overall the facing materials are considered to be sympathetic. Overall therefore the proposed two storey rear extension is considered acceptable in terms of design, character and appearance and would not cause harm to the character of the dwelling or the streetscene.

Single storey front extension

The proposed front extension would be 3m in depth, full width and 3.9m to the highest point of the roof.

The Householder Extensions/Alterations Design Guide (2021) sets out the design requirements in respect of two storey rear extensions:

In this case there is an existing front porch (original to the dwelling) which it is proposed to remove. The majority of the dwellings in The Sandpipers have these front addition elements. It is proposed to remove this and replace with a new front extension. Although larger than the existing porch and the extension that was approved in the previous application, it is considered the extension would still be a modest extension. The depth of 3m is modest and it would extend in line with the front of the neighbouring property to the south – no. 37 The Sandpipers; the front extension would therefore not impinge on the building line in this part of The Sandpipers. It would have a sympathetic mono pitched roof which would respect the host dwelling. There are also a couple of dwellings which have front additions such as nos. 28 and 45 (ref. 20040238). The proposed front extension is considered to be in keeping with the scale and character of the host dwelling and the streetscene and would not cause any harm to it.

In respect of design, character and appearance the proposal is considered compliant with Policy CS19 (LPCS).

Amenity of Occupiers

Garden Size

SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020 states the minimum sizes for minimum garden area and minimum depth from rear of house depending on the number of bedrooms a property has:

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

In this case the existing garden area is 103.6 sq. m and the rear garden depth ranges from 6.3m - 10.9m.

The proposal would result in the dwelling increasing from three to four bedrooms.

Under the proposals the garden area would 86.8 sq. m and the rear garden depth would range from 6m to 7.3m.

The garden area would therefore be undersized by 13.2 sq. m and the rear garden depth would be undersized by between 3.7m - 4m. It was the case with the previous application also that the garden area and rear. At that time it was noted that permitted development rights were not withdrawn under the original permission for the housing estate under ref. 1984039. As such the applicant could erect a full width extension across the rear of the dwelling up to 4m in depth under permitted development which would be a deeper extension than that proposed here (3.5m in depth) and would result in the property having an even more undersized garden area and depth than shown here. The applicant could potentially also construct an extension up to 8m in depth under the prior approval process although to be deemed lawful the extension would have to meet other limitations set out in Class A, Part 1 of Schedule 2 of Town and Country Planning (General Permitted Development) Order 1995 (as amended); confirmation of which could be given through a Lawful Development Certificate. The property already has an existing conservatory at the rear and the proposed extension would effectively be expanding that footprint across the rest of the rear dwelling, so it is essentially only half of the footprint of the proposed extension that would be new footprint. Although it would be reduced in size, the resultant garden is considered to be of a sufficiently sized space for the provision of adequate outdoor storage, leisure use, clothes drying and play space. The existing shed will be removed under the proposed development which would provide more useable garden area. Paragraph 10 of SPG2 - Residential layout guidelines does state that in exceptional circumstances it may be appropriate for the minimum garden depths and areas to be modified and in these cases each case will be considered on its individual merits having particular regard to any exceptional circumstances and all other material considerations. The property does also have a front garden which although not private amenity space, is still amenity space that the property has and given that the property is located at the end of a cul-de-sac this front garden is considered to account for a slightly more useable garden space than the average front garden.

It is therefore considered that for these reasons as set out above the undersized area and depth would be acceptable on this occasion and that refusal of this application on the ground of an undersized garden area and depth would be unlikely to stand up at appeal.

Contamination

The site is located in both the Holyoake Mount and Pine Avenue Historic Landfill Site Buffer Zones. As such it must be ensured that any works do not disturb any existing protection against landfill gas. Environmental Protection (Regulatory Services) have advised of two conditions which would need to be attached (see comments).

Subject to these conditions (one of which is pre-commencement and the applicant has confirmed can be attached) it is therefore considered occupiers would be sufficiently protected from any contamination.

Bedroom Sizes

There would be two new bedrooms in the rear extension, bedroom 3 would be 14.3 sq. m and bedroom 4 would be 9 sq. m. The Technical Housing Standards (2015) state that a single bedroom should be a minimum of 7.5 sq. m and a double bedroom should be a minimum of 11.5 sq. m. In this case bedroom 3 would therefore exceed the minimum standard for a double bedroom and bedroom 4 would exceed the

minimum standard for a single bedroom.

Overall therefore, it is considered that subject to the protection conditions in respect of land landfill contamination then in respect of amenity of occupiers the proposal is considered compliant with Policy CS19 (LPCS).

Neighbouring Amenity

Two storey rear extension

To denote overshadowing the extension would need to project beyond the 45 degree line from the centre point of a neighbours window on both plan and elevation. In terms of the two nearest openings on the rear of no. 37 The Sandpipers to the south, the proposed extension would not fail the 45 degree line on both plan and elevation from either the nearest ground floor doors or the nearest first floor level window on the rear of no. 37. As such it is considered there would be no overshadowing or loss of light to no. 37; there would also be loss of outlook. There are no windows proposed in the south flank elevation of the extension therefore no overlooking. There is a new window proposed in the original south flank elevation of the dwelling at first floor level to serve a bathroom. As this is a non-habitable room should permission be forthcoming a condition could be attached to state that the window shall be obscure glazed and fixed shut apart from top hung opening 1.7m above floor level in order to protect the amenity of the occupiers of no. 37.

Due to a triple garage block to the north of the dwelling there is a large gap between the application dwelling and the neighbour to the north, no. 35 The Sandpipers. Due to the distance between the north flank wall of the extension and the south flank elevation of no. 35 of some 8.7m there would be no impact on this property with regards overshadowing or loss of light and as there are no windows proposed in the north flank elevation of the extension there would be no overlooking.

Front extension

The proposed single storey front extension would extend to a depth of 3m and extend the full width of the dwelling. The dwelling is already set back from the neighbouring dwelling no. 37 The Sandpipers and the proposed extension would extend out to just before the front elevation of no. 37. It would therefore cause no impact on the amenity of no. 37 with regards overshadowing or loss of outlook and as no windows in the south flank elevation it would cause no overlooking to no. 37.

Due to the scale of the proposed front extension and the distance of some 8.5m to the other neighbouring property no. 35 The Sandpipers, there would be no overshadowing or loss of outlook. There would be no windows in the north flank elevation therefore no issues regarding overlooking to no. 35.

Overall therefore subject to conditions in respect of neighbouring amenity the proposal is considered compliant with Policy CS19 (LPCS).

Parking and Highway Safety

The property is currently three bedrooms and would increase to four bedrooms. It has a detached garage and drive in front with space for one vehicle, making two spaces in all. SPG4 states that properties with four or more bedrooms should have a maximum of three spaces per dwelling. As such it is considered the property would still retain a sufficient level of off-street parking and in respect of parking and highway safety the proposal is therefore considered compliant with saved Policy P3 (LPFR).

Archaeology

The site is located within an Area of Archaeological Potential. KCC Heritage advise that it is unlikely that the proposal would have a significant below-ground archaeological impact and they therefore do not recommend the need for any archaeological works in this case. In respect of archaeology the proposal is

therefore considered to not raise any issues with regards saved Policy TC7 (LPFR).

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposal is considered acceptable in respect of design, character and appearance, occupier amenity, neighbour amenity, parking and highway safety and archaeology. As such it is considered that the proposal subject to conditions would be compliant with local and national planning policy.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	10th September 2024	Dated:	10th September 2024